



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
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MEMORANDUM

TO: Local Boards of Health and Enforcement Agencies
FROM: Howard Wensley, M.S., C.H.O. Director
DATE: October 12, 1999
SUBJECT: Substituted Advisory for the Memorandum Dated September 24, 1999 and Titled Licenses for Recreational Camps for Children

Please substitute this Advisory for the Advisory Memorandum issued by this office on September 24, 1999, titled "License for Recreational Camps for Children." Subsequent to the release of that document, the Department was made aware of a second statute, which is applicable to the determination of an appropriate fee for a camp license.

During recent information gathering hearings relative to various camp issues, the Department was asked how the fee for a camp license is determined. Massachusetts General Law (M.G.L.) c. 140, § 32B explicitly governs the fee that a board of health may charge for a camp license¹. However, M.G.L. c. 40, § 22F provides an alternative method for determining an appropriate fee, provided that this section is accepted by a city or town². If the provisions of M.G.L. c. 40, § 22F are accepted pursuant to the requirements of the statute, the \$50.00 cap is replaced by a reasonable fee requirement. If the provisions are not accepted at the local level, then the board of health may charge only a \$10.00 for a camp license, with a maximum up to \$50.00 if the fee is established by city council action or in a town by town meeting or town council action where there is no town meeting.

If there is any question about what fee may be charged at the local level, it is recommended that you confer with your town counsel to determine the appropriate statute.

¹ C. 140, § 32B "Unless otherwise established in a town by town meeting action and in a city by city council action, and in a town with no town meeting by town council action, by adoption of appropriate by-laws or ordinances to set such fees, the fee for each original or renewal license shall be ten dollars, but in no even shall any such fee be greater than fifty dollars."

² The provisions of c. 40, § 22F "may be accepted in a city by a vote of the city council, with the approval of the mayor if so required by law, and in a town by vote of the town meeting, or by vote of the town council in towns with no town meeting."